

Construction Safety Council
Breaking New Ground
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Multi-Employer Safety Relationships on the Job Site

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Contractor Liabilities

- The entity responsible for overall site coordination, scheduling, etc. (Controlling Contractor) may be held liable for citation under OSHA.
- In the event of an accident multiple contractors may be held liable in Tort Liability case.

Site Safety Issues

- **Overall site safety issues are the responsibility of the Controlling Contractor.**
- **If the “CC” assigns responsibilities to other contractors they must still exercise some level of control.**
- **The “CC” may ultimately be held accountable in the event of an accident.**

Safety in Contracts

- **Requirements to comply with all safety regulations should be in the contract.**
- **Safety requirements more stringent than OSHA Standards, should be identified in the construction documents.**
- **Contract should include a discipline clause and even a termination clause for non-compliance with safety.**

Pre-Job Safety Planning

- **Know who each contractor's safety representative is and communicate with them.**
- **Establish responsibilities for primary safety issues.**
- **Include safety in pre-construction and progress meetings**
- **Establish requirements for regular safety meetings**

Responsibilities of the Controlling Contractor

- **Promote safety cooperation.**
- **Assure overall safety of the site.**
- **Assure each contractor has MSDS's.**
- **Conduct safety audits.**

Responsibilities of “CC”

(Cont.)

- **Assist in investigations of accidents.**
- **Advise contractors of unsafe practices.**
- **Discipline contractors if necessary.**
- **Protect the public.**

Responsibilities of Individual Contractors

- **Maintain their own safety & housekeeping**
- **Maintain Hazcom & MSDS's**
- **Provide trained and safe employees.**

Responsibilities of Individual Contractors (Cont.)

- **Follow site safety requirements.**
- **Restore protections they remove.**
- **Advise “CC” of unsafe conditions.**
- **Advise “CC” of any accident.**

Types of Responsibilities

- **Overall Safety Issues**
 - Safety issues that affect employees of multiple contractors
- **Individual Issues**
 - Safety issues that affect only employees of that contractor.

Site Utilities

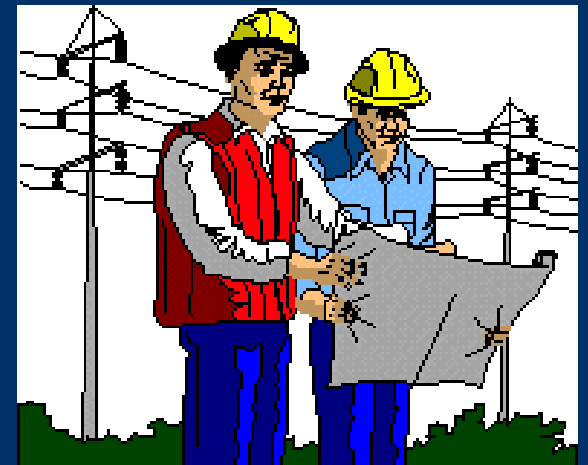
OVERALL

- Emergency numbers and directions posted.



All utilities located and marked.

Overhead power lines addressed



Working Around Overhead Power



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OVERALL

Site Security

OVERALL



- Site fencing set.

- Site Lighting

Traffic controls for major equipment and material deliveries.

Lifting



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OVERALL



Excavations



INDIVIDUAL

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OVERALL



Temporary Electrical



INDIVIDUAL

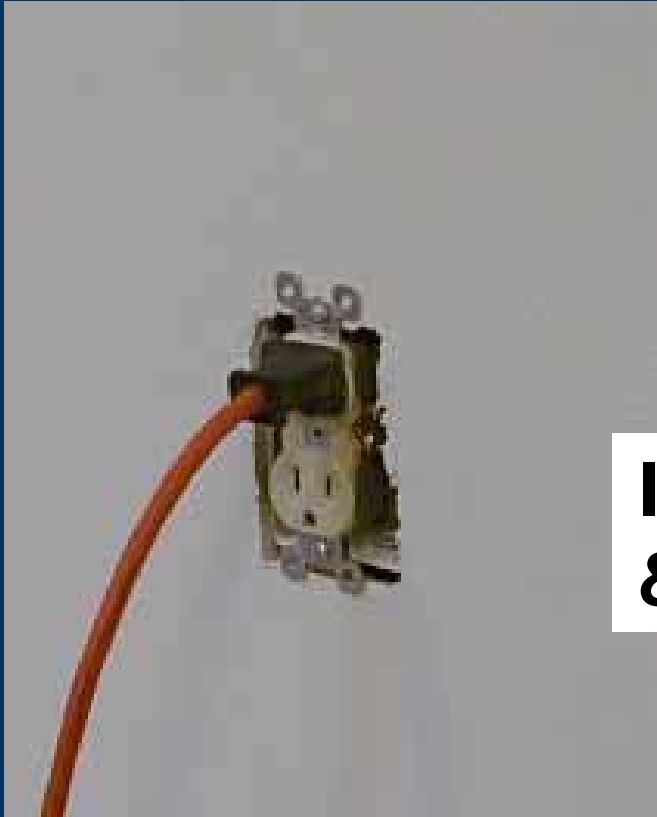
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OVERALL



Open Outlets



**INDIVIDUAL
& OVERALL**

Temporary Boxes

Framing, Steel & Masonry



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Perimeter Protection



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OVERALL



Hole Protection



Ladder Usage



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OVERALL



Scaffolds



OVERALL

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INDIVIDUAL

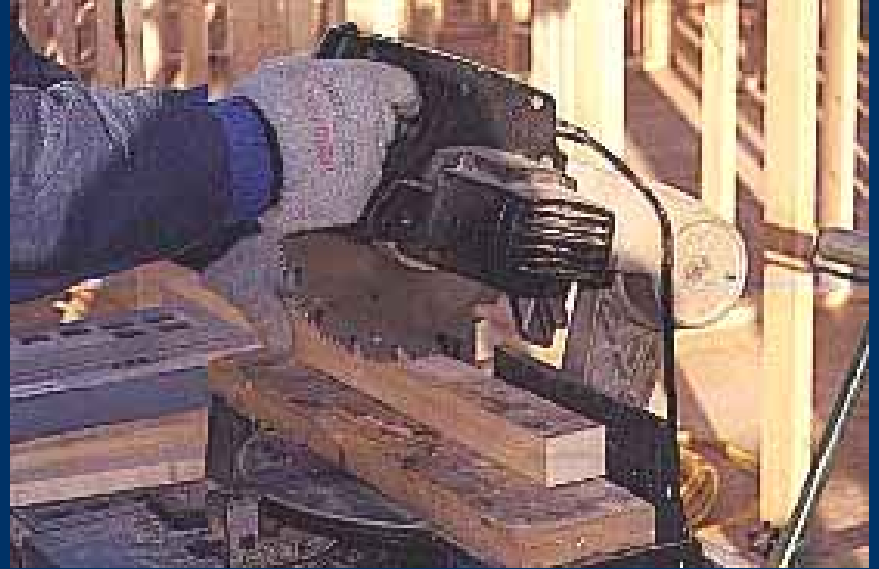


Roofing Work



INDIVIDUAL

Power Tools



INDIVIDUAL



Housekeeping



OVERALL & INDIVIDUAL

Fire Protection

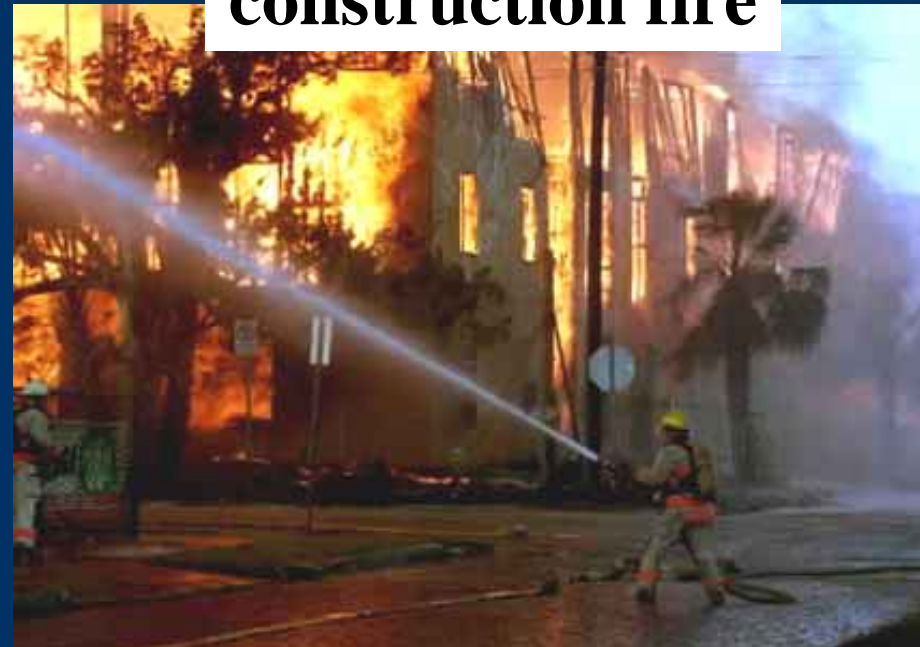


OVERALL & INDIVIDUAL

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**Ebor City
construction fire**



Competent Persons

- **Needed for many activities**
- **Should be supplied by contractor doing the work.**
- **“CC” has an obligation to assure that a competent person is overseeing safety of specific work activities.**

Accidents to the Public

- **People struck by falling objects.**
- **Pedestrians hit by equipment or trucks.**
- **Unauthorized people, such as children, getting into construction sites.**

Protect the Public

- **Separate the public and construction.**
- **Maintain site fences.**
- **Provide traffic control when needed.**
- **Utilize canopies over public sidewalks and screens or nets around work areas.**
- **Set barricades and warning signs.**

Safety Enforcement

- The “CC” should enforce subcontractor’s safety violations.
- When violations are noted, the offending contractor should be notified in writing.
- If, after due diligence, the offending contractor refuses to comply, they should be removed.

Multi-employer Policy

- OSHA may cite “Controlling Contractors” for violations not created by the “Controlling Contractor.”
- Other employers may also be cited, whether or not their own employees are exposed.

OSHA May Cite If:

- **Employees are exposed to a hazard.**
- **They created the hazard.**
- **They had the responsibility or the authority to correct the hazard.**
- **They knew of a hazard and did not inform others.**

The Controlling Employer

- **The employer who is responsible, by contract or through actual practice, for safety and health conditions on the worksite.**

The Creating Employer

- The employer who actually creates the hazard.
- IE. *The contractor who took the guardrails down and did not protect the hazard.*

The Exposing Employer

- The employer whose employees are exposed to the hazard.
- IE. *The contactor whose employees were exposed to a fall as a result of the guardrails being down.*

The Correcting Employer

- The employer who has the responsibility for actually correcting the hazard
- IE. *The contractor who had responsibility to maintain the guardrails.*

Multiple Roles

- The same contractor may perform multiple rolls.
- IE. *The GC is controlling, they have the responsibility to maintain the guardrails and they did not either do it or assure that it was done.*

Defense of M/E Citations

- **Prove that even with due diligence, you were unaware of the hazard.**
- **Show that you have informed the offending employer of the hazard, that you expect it corrected and that you have followed up on your request.**
- **Show that you protected your employees until the hazard was corrected.**

Defense of Civil Liability

- All of the above.
- Confirm that subs have W/C insurance.
- Qualify subs for safety.
- Consider indemnification clauses in contracts.
- Remove unsafe employees.